

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:17 CR 51 -01
)	
Plaintiff)	
)	
v.)	JUDGE SOLOMON OLIVER, JR.
)	
MONTEEN TYJUAN CLARK,)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
Defendant)	REFERRAL TO U. S. PROBATION
)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Monteen Tyjuan Clark, which was referred to the Magistrate Judge with the consent of the parties.

On February 7, 2017, the government filed a five-count Indictment, charging Defendant Monteen Tyjuan Clark with Conspiracy to Possess with intent to distribute and to distribute cocaine in violation of Title 21 United States Code Section 841 (a)(1) and (b)(1)(B) and 846; Distribution of cocaine in violation of Title 21 United States Code Section 841(a)(1) and (b)(1)(C); and Possession with intent to Distribute cocaine in violation of Title 21 United States Code Section 841(a)(1) and (b)(1)(B). Defendant Clark was arraigned on February 13, 2017, and entered a plea of not guilty to Counts 1, and 4-5 of the Indictment, before Magistrate Judge Thomas M. Parker. On May 11, 2017, Magistrate Judge Thomas M. Parker, received Defendant Clark's plea of guilty to Count 1 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning

whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Clark is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Clark is adjudged guilty of Count 1 of the Indictment, in violation of Title 21 United States Code, Section 841(a)(1) and (b)(1)(B) and 846, Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on August 8, 2017, at 10:00 a.m., in Courtroom 19-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

CHIEF JUDGE

UNITED STATES DISTRICT COURT

May 30, 2017